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To: Murry Wilson
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Please add my comments to the public legal record on the Phillips 66 Rail Spur Extension and incorporate them as part the public record. In addition please forward my comments to the planning commissioners.

I am a resident of The City of Davis and live within 100 yards of the Union Pacific rail tracks that carry crude oil destined for the Phillips 66 refinery in the Santa Maria. Passing trains must signal at the crossing of intersections with a series of horn blasts. I hear and feel each passing train. Davis is a city of 70,000 with 25,554 people living within one half mile of the rail 45,000 people living within a mile distance from the rail tracks. This includes the University of California at Davis campus, the Mondavi Preforming Arts Center and Hwy 80. If the rail spur is approved, our community will experience increased train traffic and with it increased traffic congestion, air pollution, noise, and vibration. We will also be at risk of derailment and the accompanying possibility of explosion, fire and environmental degradation. We will be impacted by this project and the cumulative affects of the other California refineries that transport crude oil to refineries that use this stretch of track. BUF-01

Davis residents, as well as all uprail communities will also be affected by the proposed Valero refinery expansion that will bring 2 unit trains through our community each day. Our concerns about the cumulative affects need to be addressed by the DEIR. Consideration must be given to up rail communities that will bear the impacts of the increased number of tank cars traveling in 50-100 car unit trains at 40-50 miles an hour, daily through our downtown's, residential districts, and over our waterways while carrying a potentially dangerous and volatile load.

My first series of questions concerns liability insurance. James Beardsley, global rail practice leader for Marsh & Mclennan Cos. Insurance Brokerage unit, says. "There is not currently enough coverage in the commercial insurance market anywhere in the world to cover the worst case (train derailment) scenario."

BUF-02

1) Last year trains hauled 400,000 carloads of oil up from 9,500 in 2008. The numbers of unit trains coming into California is rapidly increasing.

2) Railcar accidents spilled 1.15 million gallons of crude oil in 2013. The numbers of accidents is increasing

3) Railroads self-insure against accidents over a certain threshold. In Lac- Megantic Quebec, the company declared bankruptcy and the local government was left with the cost of clean up.

4) Presently railroads are using unsafe legacy DOT-111 tank cars. The newer safer cares will take years to produce. Leaving us with the older and more dangerous Dot-111 cars.

5) Industry experts went on record with the Wall Street Journal and detailed the inadequacy of Insurance railroads carry for catastrophic events.

6) BNSF Railroad went on record as saying "Insurance is not commercially available to cover us against catastrophic loss.

7) Train derailments and spills of tar sands oil in Dunsmuir California in 1991 and the Kalamazoo River in Michigan in 2010 illustrate examples of potential environmental disasters we can see in our future.

Do Phillips 66, the railroads and rail car manufactures carry enough insurance to cover an accident along the train route including, large metropolitan centers and fragile watersheds? Does this include worst case scenario's. A solution can be found in Washington State law. It requires transporters of petroleum products to demonstrate that they have the resources and insurance to take financial responsibility for their mishaps. BUF-02

The Santa Maria refinery is a point where the hard questions can and must be asked. Vagaries in determining responsibility cannot allowed.. Accidents will happen and determining responsibility and the ability to pay restitution prior to the incident is an absolute necessity.

My community and all communities along the rail route have lives and property at increased risk. The FEIR needs to adequately answer these questions for all parties uprail as well as those close to and at the Phillips 66 site.

Who will be liable for a rail accident resulting in a derailment, explosion and/or fire in my community or any community along the train route?

Who will be liable for a derailment and spillage into the Yolo causeway a wildlife sanctuary and water source for the State of California?

Does the liable party carry adequate insurance to guarantee clean up and restitution and liability for parties damaged in the event of a spill, derailment or explosion?

Can and will the Santa Maria require Phillips 66 to put up a bond in advance adequate to cover a major disaster?

My second series of questions are, what will be the cumulative impacts of sound, vibration, and air pollution on my community, from the increased rail traffic destined for other refineries in California that will pass through this stretch of track?

BUF-03

This should include the 3 unit trains of crude by rail destined for the Phillips 66 Refinery that will be passing through our community 5 days a week added to the 2 unit trains daily destined for the Valero Refinery in Benicia. Any additional unit trains shipping crude oil should be added.

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Thank you
Frances burke

BUF-01	The RDEIR evaluated the cumulative impacts of other proposed crude by rail projects. The other cumulative crude by rail projects are listed in Table 3.1 (see Section 3.0 Cumulative Projects). The remainder of the comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concerns about noise and vibration, traffic, air pollution, hazards, and adverse environmental impacts are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
BUF-02	Issues of liability and insurance are not required to be addressed as part of the CEQA process. Under both Federal and state law UPRR is responsible for the costs associated damages and the costs associated with cleaning up any spill that occurs along the mainline rail routes. The commenter's concerns about liability and insurance are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
BUF-03	The proposed Phillips 66 Rail Spur Project is for five trains per week, not three per day as stated in the comment. The cumulative impacts associated with the proposed crude by rail projects on noise/vibration (see Section 4.9) and air quality (see Section 4.3) have been addressed in the RDEIR.